

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable Herbert I. Levy, Acting Presiding Justice; Honorable Dennis A. Cornell, Associate Justice; Honorable Gene M. Gomes, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Shandra Gallagher, Assistant Deputy Clerk.

F039878 People v. Aispuro

Cause called and argued by Allen F. Glen Weinberg, Esq., counsel for appellant. Alison Aleman, Esq., Deputy Attorney General, counsel for respondent waived oral argument.

Cause ordered submitted.

At this point Vartabedian, J. joins the bench as Acting Presiding Justice, replacing Cornell, J.

F040372 People v. McKenzie

Cause called and argued by Richard Doctoroff, Esq., counsel for appellant and by Brian Alvarez, Esq., Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

At this point Vartabedian, Acting P.J. directs Wiseman, J. to act as Presiding Justice in his absence, leaves the bench and is replaced by Wiseman, Acting P.J.

F040867 Giangrasso v. Tenet Healthsystems Hospitals, Inc. et al.,

Cause called and argued by Stephen J. Ringhoff, Esq., counsel for appellant and by Daniela P. Stoutenburg, Esq., counsel for respondent.

Cause ordered submitted.

Court recessed until Thursday, October 9, 2003 at 10:00 A.M.

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F040930 People v. Torres

The judgment of conviction on count two, gross vehicular manslaughter while intoxicated, is reversed and the trial court is ordered to enter a verdict of not guilty on that charge. The abstract of judgment is ordered amended to reflect an acquittal on count two and to reflect the proper amount of presentence credits. In all other respects, the judgment is affirmed. Levy, J.

We concur: Wiseman, Acting P.J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F040501 People v. Carrillo

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F041666 People v. Abarca

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F041062 People v. Mendiola

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F041062 People v. Mendiola

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F042106 In re James B., a Minor.

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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F042106 In re James B., a Minor.
The judgment is affirmed.
By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F043606 Christina O. v. The Superior Court of Merced County; Merced Co. Dept. of Human Services

Pursuant to the terms of this court's order of September 26, 2003, and the failure of any party to request oral argument, the oral argument date of October 23, 2003, is vacated. This matter is deemed submitted on the date of this order.

F042438 In re Zennetta W., a Minor

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F042438 In re Zennetta W., a Minor

The trial court is ordered to modify Zennetta's probation condition regarding the use of self-defense to read: "The Minor is not to use force or violence upon any person except in lawful self-defense." In all other respects, the judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F041442 People v. Smith

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

IN THE

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F041442 People v. Smith

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F039129 People v. Marshall

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

F043273 Friends of the Santa Clara River et al. v. Castaic Lake Water Agency et al.

Appellant's motion to reinstate the appeal is granted. The appeal is reinstated.